

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Fitzpatrick et al.

Art Unit 3622

Serial No. 09/840,648

Filed 04/23/2001

Confirmation No. 5040

For METHOD AND SYSTEM FOR ELECTRONICALLY SELECTING, MODIFYING, AND
OPERATING A MOTIVATION OR RECOGNITION PROGRAM

Examiner John W. Van Bramer

July 3, 2008

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

TO THE COMMISSIONER FOR PATENTS,

SIR:

Applicants submit herewith an Amended Appeal Brief in response to the Notification of Non-Compliant Appeal Brief, dated June 3, 2008.

Applicants have amended the Table of Contents, Status of the Claims, Status of Amendments, Grounds of Rejection to be Reviewed on Appeal, Argument, and Claims Appendix sections of the Appeal Brief originally filed on January 28, 2008. Assertions have been underlined and deletions bracketed or crossed out.

Appellant submits that the Amended Appeal Brief as submitted herewith, is now in compliance with 37 CFR 41.37(c)(1)(iii), 37 CFR 41.37(c)(1)(iv), 37 CFR 41.37(c)(1)(vi), 37 CFR 41.37(c)(1)(vii) and 37 CFR 41.37(c)(1)(viii). Therefore, Appellant respectfully requests a substantive evaluation of the issues presented.

Respectfully submitted,

/Frank R. Agovino/

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